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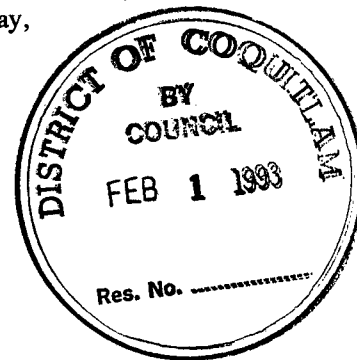
JACK CEWE PARK - BOARD OF ADMINISTRATION MEETING MINUTES Tuesday, January 12, 1993

Mayor: L. Sekora

A meeting of the Jack Cewe Park - Board of Administration convened in the Administrative Committee Room, 1111 Brunette Avenue, Coquitlam, B.C. on Tuesday, January 12, 1993 at 0900h with the following persons present:

COMMITTEE MEMBERS PRESENT: Jack Cewe
George Home
Councillor LeClair
Councillor Parker

STAFF PRESENT: Norman A. Cook City Manager
Neil Nyberg City Engineer
Deborah Brown City Solicitor



The purpose of the meeting was to review the termination provisions of the Jack Cewe Park Agreement.

The City Solicitor reviewed Section 27 of the Agreement, noting that the "windup" clauses depended on pre-conditions including land transfer and reclamation. It was concluded that the Agreement cannot be terminated without significant modification i.e. recognition that Jack Cewe Ltd. does not intend to cease business; nor does the Crown Provincial intend to cede the lands which are not owned by Jack Cewe Ltd.

George Home explained that Jack Cewe Ltd. understood that the one million dollar security required by the BC Government was a substitute for the reclamation provisions of the Jack Cewe Park Agreement. Since the BC Government had failed to lease certain lands to Jack Cewe Ltd. for gravel extraction, the original premise of the agreement was invalid.

For instance, paragraph two cites 17 million tons of removed gravel related to the park boundaries as a precondition for termination. However, Jack Cewe Ltd. holds the opinion that 17 million tons have not been removed because Cewe has concentrated operations on Pit M, through a profit a prendre agreement, then by purchase of Pit M from the municipality. Deborah Brown stated that Coquitlam will review the quantities and point of origin of the removed gravel, but believes that the 17 million threshold has been reached.

George Home stated that Cewe wants more flexibility regarding hours of operation for the asphalt plant, in exchange for a more constructive approach towards soil substance permit fees. Councillor LeClair stated that the Jack Cewe Park Agreement should be terminated first, before other issues were addressed.

Jack Cewe reviewed the history of the gravel industry in Coquitlam in the fifties and sixties. The Pipeline gravel area was built by Cewe and the Jack Cewe Park Agreement was chosen as the vehicle for reclamation. The major obstacle to completing the agreement was the failure of the Provincial Government to give the Crown grant to Cewe. As a good corporate citizen, Cewe wants to carry out an appropriate reclamation operation, but cannot maintain a profitable operation without access to additional suitable materials.

The City Solicitor will identify a specific termination process, based on amendments to the original agreement, and will present same to the next meeting of the Board of Administration.

Neil Nyberg, P. Eng.